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April 15, 2020

BY ECF

Hon. Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Fitchett v. City of New York, et al.*
18-CV-8144 (PAE)

Dear Judge Engelmayer:

I am an Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced action. I write to request that Your Honor extend the time for Defendants to file their motion for summary judgment from April 20, 2020 until May 4, 2020. Plaintiff's counsel has consented to Defendants' request.

Pursuant to the March 2, 2020 scheduling order, the parties filed their Joint Statement of Facts on March 16, 2020. Defendants, however, require additional time to file their motion for summary judgment. As explained in Defendant's March 30, 2020 letter, individual defendant, Thomas Galati, Chief of NYPD's Intelligence Bureau, was not deposed by Plaintiffs in this action. As such, Defendants have been in the process of getting a declaration from Chief Galati in support of their motion. However, on April 13, 2020 the undersigned was informed that Chief Galati experienced a death of an immediate family member and will not be able to review his declaration by April 20, 2020, the date Defendants' motion is currently due, and therefore additional time is required.

This is Defendants' second request for an extension of time to file their motion for summary judgment. If this request is granted, Defendants propose the following briefing schedule: Defendants will file their motion for summary judgment on May 4, 2020; Plaintiff's

opposition brief would be due May 26, 2020; and Defendants' reply brief would be due June 4, 2020.

Thank you for Your Honor's consideration of this request.

Respectfully submitted,
/s/ Dominique F. Saint-Fort
Dominique F. Saint-Fort
Assistant Corporation Counsel

cc: Marshall Bellovin (via ECF)
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Granted. The Court sends its condolences to Chief Galati and his family and hopes that counsel and their families are safe and well during this challenging time.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

April 16, 2020